

You've just received notice of
a rent increase
— now what?



Contact Your Landlord
or the City of Fremont
with your questions!

How to

Request a Rent Review

1

**Contact the
City for Information
or to Submit a Request for
Rent Review within 15 Calendar
Days from Date of Notice**

✉ rentreview@fremont.gov

☎ **510.733.4945**

To request further information
All calls are confidential

Your Landlord will have 5 business
days to respond



2

**Facilitated
Phone
Conversation
and/or Mediation
Meeting**



**If agreement reached,
review ends**

No agreement reached



3

**Rent Board Review
(Public Hearing)**

- Only available if rent increase is over 5% within the last 12 months
- Must be filed by either party within 5 business days of consultation/mediation



For detailed information visit
www.fremont.gov/rentreview

* The Rent Review process does not apply to hotels, boarding houses, transient accommodations, dormitories, rental units owned or operated by any government agency or rental units subsidized by a government agency and subject to a regulatory agreement. The rent review process applies to units with Section 8 vouchers and certificates if rent exceeds fair market value. Landlord retaliation is strictly prohibited.


Fremont

3300 Capitol Avenue, Bldg. B | Fremont | CA 94538
510.733.4945

A quick and easy
checklist
for landlords



Rent Increase Notice Requirements

Is the Rent Increase Notice Complete?

- ✓ It must be in writing
- ✓ Show the contact information of the landlord or responsible party
- ✓ Include the ordinance language about the availability of Rent Review
- ✓ Explain how to get a copy of the Rent Review Law
- ✓ Personally delivered or mailed first class
- ✓ If increase is over 5% - Explanation of why the increase is needed



Is There Sufficient Advance Notice of the Increase?

30-day notice is required for
rent increases up to 10%*

60-day notice is required for
rent increases over 10%*

* As required by California
Civil Code Section 827(b)



How Many Increases in the Past 12 Months?

Rents can only be
raised once
in any 12-month period



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The Rent Review Process

- **THE CITY OF FREMONT** has a process for tenants and landlords to address concerns about rent increases. It applies to most rental units, except as noted in **How to Request a Rent Review**, and covers rent increases in any amount. It does not resolve issues regarding maintenance or when the landlord wants to terminate the tenancy. Please refer to the Resource Page in this literature on organizations that can help address these issues. This guide will provide an overview of the rent review process.
- **IN ORDER TO REQUEST A RENT REVIEW**, the landlord must provide a valid rent increase notice containing certain specific information and provide the tenant with advance notice of the rent increase. (See **Rent Increase Notice Requirements** in this literature).
- **IF THE RENT INCREASE NOTICE IS VALID**, a tenant has 15 days from the date contained on the notice (not when the notice was received) to file a request for rent review. Landlords are required to participate in the rent review process. Landlords are prohibited from retaliating against a tenant who files a request for rent review and may be cited for a violation of the Fremont Municipal Code if they retaliate.
- **ONCE THE CITY RECEIVES THE REQUEST**, the Rent Review Office will contact the landlord within 3 business days and schedule a confidential telephone meeting with each party individually to try and develop a mutually beneficial agreement. If the phone consultation does not resolve the dispute, the Rent Review Office can schedule a mediation session where both parties will attend a private meeting facilitated by a professional mediator who will work with both parties to try and find a resolution. Tenants are required to pay one half of the proposed rent increase to the landlord in addition to the current monthly rent as it comes due during the rent review process.
- **IF THE LANDLORD DOES NOT RESPOND TO THE RENT REVIEW OFFICE** or does not participate in good faith in the consultation or mediation process, the rent increase notice is invalid. If a tenant does not respond to the Rent Review Office or does not participate in good faith in the consultation or mediation process, the tenant will lose all the services provided in the rent review process and the rent increase will go into effect.
- **IF THE PARTIES ARE NOT ABLE TO COME TO AN AGREEMENT** and the rent increase is for more than 5% in any 12 month period, either party can request a rent board review. The Rent Review Board is made up of two landlord representatives, two tenant representatives, and one neutral person who will conduct an open and public hearing to evaluate the rent increase.
- **LANDLORDS WILL NEED TO PRESENT EVIDENCE AT THE HEARING** to explain the reason for the rent increase above 5%. The Rent Review Board will evaluate the reasonableness of the increase based on a number of factors and make a non-binding recommendation if the parties cannot agree on the rent increase amount. Once the Rent Review Board makes its recommendation, the tenant and the landlord need to finalize the amount of any rent refund due to the tenant or determine the amount of any rent due to the landlord.

Rent Board Review

A Guide For Tenants
and Landlords

Resources

Questions about the rent review process can be directed to:

The City of Fremont Rent Review Office by emailing rentreview@fremont.gov or calling 510.733.4945 (callers do not need to give their name or address).

Forms are available on the City's website at www.fremont.gov/rroforms or can be picked up at the City of Fremont Human Services Department located at 3300 Capitol Avenue, Building B, or the Development Services Center located at 39550 Liberty Street.

Additional resources for renters: www.fremont.gov/renters

Additional resources for landlords and property managers: www.fremont.gov/propertymanagers

Requests for maintenance or repair of a rental unit should first be directed to the landlord or property management company by allowing them a reasonable opportunity to resolve the matter (generally 30 days). If corrections are still not performed, you may contact the City of Fremont Code Enforcement Division at code_enf@fremont.gov or call 510.494.4430 or visit www.fremont.gov/369/unsafe-or-unsanitary-homes

Questions regarding discrimination and fair housing issues should be directed to: Project Sentinel 510.574.2270 or email fremont@housing.org

For Section 8 Housing resources, call the Housing Authority of Alameda County 510.538.8876

For additional resources, go to www.fremont.gov/rroresources or call 510.733.4945